

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

TYLER TECHNOLOGIES, INC.,

PLAINTIFF,

v.

LEXUR ENTERPRISES INC.,
ROBERT FRY, JIMMY DAVIS, JOE
THORNSBERRY, AND JOHN DOES
1-100

DEFENDANTS.

CAUSE NO. 4:20-CV-00173-TWP-DML

**DEFENDANT ROBERT FRY'S MOTION TO JOIN
LEXUR ENTERPRISES, INC.'S REPLY IN SUPPORT OF
MOTION TO STAY DISCOVERY**

Defendant Robert Fry (“Fry”), by counsel, moves the Court to permit him to join the Reply in Support of Motion to Stay Discovery [DN 80] filed by Defendant Lexur Enterprises, Inc. (“Lexur”). In support of this motion, Fry states as follows:

1. Fry is the President and Chief Financial Officer of Lexur.
2. Lexur and Fry filed substantially similar motions to dismiss the complaint of Tyler Technologies, Inc. (“Tyler”). [See DN 29-32.]
3. After those motions to dismiss were filed, Tyler served discovery requests on Lexur and Fry that are almost identical. [DN 69-1; Ex. A.]
4. Lexur filed a motion and supporting brief requesting that this Court stay discovery until the motions to dismiss could be resolved. [DN 68-69.]

5. Fry filed a motion to join Lexur's motion to stay discovery and supporting brief because the arguments set forth therein are equally applicable to Fry. [DN 72.] Namely, if Fry's motion to dismiss is granted, this lawsuit will be resolved in its entirety as to Fry. Fry should not be required to engage in expensive and time-consuming discovery, in which Tyler, a direct competitor, is seeking confidential information and trade secrets.

6. Tyler filed an opposition to Lexur and Fry's motion to stay discovery [DN 77], and Lexur filed a reply in further support of the motion to stay [DN 78].

7. Lexur's arguments on reply are again equally applicable to Fry. Fry therefore requests that it be permitted to join the reply and incorporates by reference the arguments set forth therein. In brief, the motions to dismiss are potentially dispositive and likely to succeed; the information sought in discovery will not transform Tyler's alleged personal injury into a viable antitrust injury; the burden imposed by Tyler's discovery requests has been shown; and Tyler will not be prejudiced by a stay of discovery.

WHEREFORE, Fry respectfully requests that this Court allow him to join in the arguments set forth in Lexur's Reply in Support of Motion to Stay Discovery [DN 80].

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